



NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
4805 MT. HOPE DRIVE • BALTIMORE, MD 21215-3297 • (410) 580-5777

BENJAMIN TODD JEALOUS
President & Chief Executive Officer

JULIAN BOND
Chairman, Board of Directors

October 3, 2008

Hon. Kevin Martin
Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Dear Chairman Martin:

On behalf of the NAACP, our nation's oldest and largest grassroots based civil rights organization, with over 2,200 membership units throughout the United States, I am writing in support of the Petition filed by the Portable Peoples Media Coalition ("PPMC"), which includes the National Association of Black Owned Broadcasters, the Spanish Radio Association, the Minority Media and Telecommunications Council, the American Hispanic Advertising Association, Border Media Partners, Entravision Communications Corporation, ICBC Broadcast Holdings, Inc., Spanish Broadcasting System, Inc., and Univision Communications Inc. These respected organizations and companies have asked the Commission to conduct an investigation of Arbitron's Portable People Meter ("PPM") ratings methodology.

PPM is of profound interest to the NAACP. Black radio and its survival and viability are vital to our 99-year mission and to the communications needs of our over 500,000 members and to the nation's 40,000,000 African Americans. Our 2,200 membership units serve every community in the nation that Arbitron serves. We will be keeping our units informed on this issue and regarding the good corporate citizenship we hope Arbitron will exhibit in addressing these concerns.

Arbitron is the monopoly provider of ratings services to U.S. radio stations. Arbitron's PPM methodology, which uses telephone based recruitment methods, has *failed* the accreditation process conducted by the Media Ratings Council, an independent auditing entity that sets the minimum

standards for media ratings research. We understand that beginning October 8, 2008, Arbitron intends to use this failed methodology in eight of the largest markets in the U.S. including New York, Chicago, Los Angeles and San Francisco.

The new methodology dramatically undercounts and misrepresents the listening habits of racial and ethnic minorities -- so much so that the continuing viability of minority radio stations is seriously threatened. It is especially unfortunate because Arbitron is using an *accredited PPM methodology* in Houston which uses address-based recruitment that has proven to be more representative of a given market's demographic groups. Thus it is disappointing that Arbitron has decided not to use its accredited methodology in the largest radio markets scheduled for commercial roll-out on October 8, 2008 and in any other subsequent markets -- evidently because it would cost more to use the accredited address-based method than to use the MRC-unaccredited telephone based methodology.

Since 1951, when the NAACP launched the nation's first campaign against discrimination in broadcasting, the Commission has recognized the importance of ensuring that a diversity of viewpoints is available over our nation's airwaves. The NAACP has a long history of working with the FCC to achieve this goal through increased minority ownership of radio and employment of minorities by radio stations. Moreover, given the vital role that minority owned radio stations play in their communities, it is imperative that the FCC investigate the accuracy and reliability of this new ratings system to ensure that the public interest is served.

The importance of this issue has been recognized by numerous governmental entities and public officials: the New York and New Jersey Attorney Generals have each launched investigations and sent subpoenas to Arbitron (9/9/08 and 9/15/08 respectively). Senator Menendez is on record praising the New Jersey Attorney General's investigation (9/15/08), the New York City Council enacted a Resolution urging the FCC to initiate an investigation (9/24/08), the FCC Diversity Committee issued a resolution asking for an FCC investigation (7/28/08); and joint letters have been sent by Senators Inouye and Leahy (9/19/08) and Senators Obama and Durbin (9/28/08) to Arbitron asking for a delay of the October 8th roll-out.

Accordingly, the NAACP urges the Commission to grant the PPMC's Petition and also requests that Arbitron delay its planned roll-out until the

FCC has been able to complete a 403 investigation of this new PPM methodology to determine if it accurately reflects the listening habits of racial and ethnic minority listeners.

With kindest regards,

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Jealous", written in a cursive style.

Benjamin Todd Jealous
President/CEO